

Bristol, Lynn Anne (AU1643)

From: Green, Randy
Sent: Monday, September 13, 2010 6:52 AM
To: Bristol, Lynn Anne (AU1643); Yu, Misook
Cc: Burke, Julie; Seidel, Marianne
Subject: RE: 10/570,010

Yes.

The only thing that would create a problem to getting this mailed would be if the granting of the petition is critical to your decision. In other words, if granting the petition removed your only art rejection then you need to wait for the decision. If not, you can do your decision and it can be mailed by us removing the petition flag that prevents mailing.

Marianne knows the routine we have in place for this.

From: Bristol, Lynn Anne (AU1643)
Sent: Saturday, September 11, 2010 1:04 PM
To: Yu, Misook
Cc: Burke, Julie; Seidel, Marianne; Green, Randy
Subject: RE: 10/570,010

Hello all,

Please pardon the interruption but I would appreciate further clarification on this.

Randy states below "we only have an issue if there is intervening art." One of the art reference rejections is intervening art and is just the very reason that Applicants have filed the petition to obtain benefit for an earlier filing date to overcome the reference art.

Do you want me to proceed absent the petitions office's decision to grant them their priority date?

Thank you,
LAB

From: Yu, Misook
Sent: Friday, September 10, 2010 7:04 AM
To: Bristol, Lynn Anne (AU1643)
Subject: FW: 10/570,010

Lynn,
Please move this case. See the message from Randy. Misook

From: Green, Randy
Sent: Thursday, September 09, 2010 5:11 PM
To: Seidel, Marianne
Cc: Burke, Julie; Yu, Misook; Diep, Kim (AKIMAD)
Subject: RE: 10/570,010

Look at the Petition Info screen in PALM. It is already assigned to Monica Graves. It should show up on her "to do" list within a few weeks.

9/13/2010

That said, the case is "not" unavailable for work as indicated below. The petition flag will prevent mailing without contacting us (and we know how that works at this point) but does not prevent the examiner from taking action on the case.

Obviously the date that "might" be allowed should be taken into consideration when making the patentability determination and we only have an issue if there is intervening art.

Marianne/Julie - have the examiner do the amendment and let us know when the action is ready to mail. As you know, we can remove the flag to allow mailing.

I won't be back until Monday but if you have this ready to mail Monday morning we can pull the flag first thing and you can mail such and it won't go overdue. Let me know when you want to mail. If you get this ready to mail tomorrow (Friday) the Kim can remove the flag for such.

Kim - only remove the flag for mailing if you hear back from Marianne or Julie. As usual, please reset the flag by 3:00 pm the day it is removed. thanks

Randy

From: Seidel, Marianne
Sent: Thursday, September 09, 2010 4:28 PM
To: Green, Randy
Cc: Burke, Julie; Yu, Misook
Subject: RE: 10/570,010

Randy-can you please assign? Thank you

From: Burke, Julie
Sent: Thursday, September 09, 2010 4:21 PM
To: Yu, Misook; Seidel, Marianne
Subject: RE: 10/570,010

Hi Marianne, can you please help with this one? thanks

From: Yu, Misook
Sent: Thursday, September 09, 2010 4:18 PM
To: Burke, Julie
Subject: FW: 10/570,010

Julie,
 The petition (6/15/2010) is about priority. Does the petition's office decide this issue? Who should I contact?
 Misook

From: Bristol, Lynn Anne (AU1643)
Sent: Monday, August 30, 2010 9:28 AM
To: Yu, Misook
Cc: Martino, Deshonne
Subject: 10/570,010

FYI- the case is on my regular amended docket and will go to a 2+ tomorrow. However, the case is in the Petitions Branch and unavailable for work.

9/13/2010